

UNITED STATES DISTRICT COURT

District of Massachusetts

RICH REINISCH, Derivatively on
Behalf of BIOPURE CORPORATION,
Plaintiff,

V.

THOMAS A. MOORE, CARL W. RAUSCH,
DAVID N. JUDELSON, CHARLES A.
SANDERS, M.D., C. EVERETT KOOP,
M.D., DANIEL P. HARRINGTON and
J. RICHARD CROUT, M.D.,

Defendants,

and
BIOPURE CORPORATION, a Delaware
Corporation,

Nominal Defendant

TO: (Name and address of Defendant)

J. RICHARD CROUT, M.D.
5300 Alta Vista Road
Bethesda, MD 20814

SUMMONS IN A CIVIL ACTION

04 10215 NG

CASE NUMBER:

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Mary T. Sullivan
SEGAL ROITMAN & COLEMAN
11 Beacon Street, Suite 500
Boston, MA 02108
617/742-0208

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(By) DEPUTY CLERK



JAN 29 2004

DATE

Attorney or Party without Attorney: Brian J. Robbins, Esq., Bar #190264 Robbins Umeda & Fink, LLP 1010 Second Avenue, Suite 2360 San Diego, CA 92101 Telephone No: (619) 525-3990 FAX No: (619) 525-3991			For Court Use Only		
Attorney for: Plaintiff Insert name of Court, and Judicial District and Branch Court: United States District Court - District Of Massachusetts					
Plaintiff: Rich Reinisch, et al. Defendant: Thomas A. Moore, et al.			Case Number: 0410215NG		
AFFIDAVIT OF SERVICE		Hearing Date:	Time:	Dept/Div:	Ref. No. or File No.:

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the Summons in a Civil Action; Complaint; Civil Cover Sheet
3. a. Party served: J. Richard Crout, M.D.
b. Person served: J. Richard Crout, M.D., Personally
4. Address where the party was served: 5300 Alta Vista Road
Bethesda, MD 20814
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Thu., Feb. 12, 2004 (2) at: 04:00PM

7. Person Who Served Papers:
 - a. Robert Proffitt

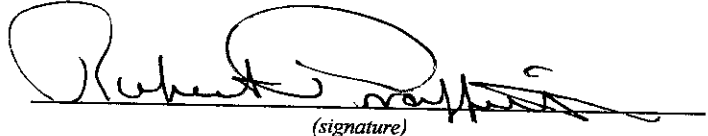


1st Nationwide Legal Services
 501 12th Street
 Sacramento CA, 95814

Voice: 916.449.8990
 FAX: 916.449.8991

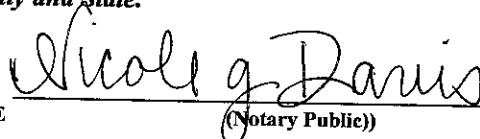
Fee for Service:

I Declare under penalty of perjury under the laws of the State of Massachusetts that the foregoing is true and correct.


 (signature)

8. SUBSCRIBED AND SWORN to me, a Notary Public in and for said County and State.

My Commission Expires 01-14-09
 (Date)


 (Notary Public))